

Atty. Dkt. No. 054707-0661

Applicants: Yong-Qian Wu et al.

Title: AZA COMPOUNDS, PHARMACEUTICAL COMPOSITIONS
AND METHODS OF USE

Appl. No.: 09/835,523

Filing Date: 04/17/2001

Examiner: Tamthom Ngo Truong

Art Unit: 1624

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, GPI NIL Holdings, Inc., having its principal place of business at 222 Delaware Avenue, Wilmington, Delaware 19899, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application No. 09/835,523, filed 04/17/2001, which is a continuation of U.S. Patent Application No. 09/551,618, filed 04/17/2000, by virtue of an Assignment filed and recorded on 10/04/2001, on Reel/Frame 012231/0478, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent No. 6,417,189, which issued on U.S. Patent Application No. 09/551,618, filed April 17, 2000, by virtue of an Assignment filed and recorded on 01/15/2002, on Reel/Frame 012485/0698, in the United States Patent and Trademark Office, a copy of a Patent Assignment Abstract of Title from the U.S.P.T.O. website is attached hereto as APPENDIX B.

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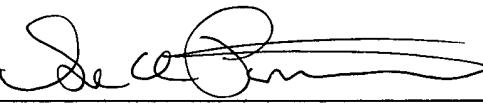
Your Petitioner, GPI NIL Holdings, Inc., hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,417,189, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,417,189 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,417,189 as defined in 35 U.S.C. §§ 154-156 and 173, in the event that U.S. Patent 6,417,189 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC § 154, prior to the full statutory term of U.S. Patent 6,417,189 as defined in 35 USC §§ 154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,417,189, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§ 155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the

Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 6,417,189 rests with Petitioners, GPI NIL Holdings, Inc. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

By 

Date 09-26-2005
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UNITED STATES
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DECEMBER 14, 2001

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NATH & ASSOCIATES PLLC
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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/04/2001

REEL/FRAME: 012231/0478
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GUILFORD PHARMACEUTICALS INC.

DOC DATE: 08/28/2001

ASSIGNEE:
GPI NIL HOLDINGS, INC.
222 DELAWARE AVENUE
WILMINGTON, DELAWARE 19899

SERIAL NUMBER: 09835523
PATENT NUMBER:

FILING DATE: 04/17/2001
ISSUE DATE:

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

10-12-2001

OCT 4 2001

B/O FORM PTO-1595 (1/31/92)

18-4721

101871592
PATENTS ONLYU.S. Department of Commerce
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of Conveying Party:

GUILFORD PHARMACEUTICALS INC.

 Additional names of conveying parties attached.

3. Nature of Conveyance

 Assignment Merger Security Agreement Change of Name Other

Execution Date: August 28, 2001

4. (A) Patent Application Number(s):

09/835,523

If this document is being filed together with a new application, the execution date of the application is:

 Additional Numbers Attached.

5. Name and Address of Party to whom Correspondence Concerning this Document Should be Mailed:

Name: Gary M. Nath
 Address: NATH & ASSOCIATES PLLC
 1030 15th Street, N.W. - 6th Floor
 Washington, D.C. 20005

6. Total Number of Applications and Patents Involved:

1

7. Total Fee:

(37 CFR 3.41)

\$ 40.00

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8. Deposit Account Number:

14-0112

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9. Statement and Signature:

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Name of Person Signing

Gary M. Nath, Reg. No. 26,965
 Joshua B. Goldberg, Reg. No. 44,126
 Customer No. 20529

Attorney Docket No.: 23754-X

October 4, 2001

Date

Total number of pages comprising cover sheet: 1

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION given to **GUILFORD PHARMACEUTICALS INC.**, hereinafter referred to as the **ASSIGNOR(S)**, who has/have invented certain new and useful **AZA COMPOUNDS, PHARMACEUTICAL COMPOSITIONS AND METHODS OF USE** hereinafter referred to as the invention, for which I/we has/have executed an application for Letters Patent to be filed in the United States Patent and Trademark Office.

WHEREAS, **GPI NIL HOLDINGS, INC.**, a corporation organized and existing under the laws of the country/state of Delaware, whose post office address/business address is 222 Delaware Avenue, Wilmington, Delaware 19899, hereinafter referred to as the **ASSIGNEE**, desires to acquire the entire right, title and interest for the United States and elsewhere throughout the world in and to said invention and application, including any and all divisions and continuations thereof, all rights of priority under the terms of the International Convention for the Protection of Industrial Property, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof.

NOW, WITNESSETH THIS that for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, said **ASSIGNOR(S)** hereby assign(s), sell(s) and transfer(s) to said **ASSIGNEE**, its assigns and legal representatives, the entire right, title and interest for the United States and elsewhere throughout the world, in and to said invention and application, including any and all divisions and continuations thereof, all rights of priority under the terms of the International Convention for the Protection of Industrial Property, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof, with all the rights, powers, privileges, and advantages in any way arising from or pertaining thereto, for and during the term or terms of any and all such Letters Patent when granted, including any and all renewals, reissues and prolongations thereof, for the use and benefit of said **ASSIGNEE** and its assigns and legal representatives, in as ample and as beneficial a manner for all intents and purposes as said **ASSIGNOR(S)** might or could have held and enjoyed the same had this assignment not been made.

ASSIGNMENT

ALSO, said ASSIGNOR(S) hereby agree(s) to execute all papers necessary to file said applications in the United States and elsewhere throughout the world, and to assign the same to said ASSIGNEE, or any assignee acquiring title to said invention, and to execute any other papers that may be needed in connection with filing said application and securing any and all Letters Patent thereon.

AND said ASSIGNOR(S) authorize(s) and request(s) the Commissioner of Patents to issue a Letters Patent on said application, and on any and all divisions and continuations thereof, to said ASSIGNEE, its assigns and legal representatives, in accordance herewith.

By: GUILFORD PHARMACEUTICALS INC.

Nancy J. Link
Signature

28 Aug 01
Date

Nancy J. Link, Ph.D., J.D.
Name

Senior Vice President of Intellectual Property
Title



United States Patent and Trademark Office

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Patent Assignment Abstract of Title

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For pending or abandoned applications please consult USPTO staff.

Total Assignments: 2**Patent #:** 6417189 **Issue Dt:** 07/09/2002 **Application #:** 09551618 **Filing Dt:** 04/17/2000**Inventors:** Yong-Qian Wu, Wei Huang, Gregory S. Hamilton**Title:** AZA compounds, pharmaceutical compositions and methods of use**Assignment: 1****Reel/Frame:** 011251/0380 **Recorded:** 10/22/2000 **Pages:** 5**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignors:** WU, YONG-QIAN**Exec Dt:** 10/10/2000HUANG, WEI**Exec Dt:** 10/10/2000HAMILTON, GREGORY S.**Exec Dt:** 09/21/2000**Assignee:** GUILFORD PHARMACEUTICALS INC.

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Assignment: 2**Reel/Frame:** 012485/0698 **Recorded:** 01/15/2002 **Pages:** 3**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** GUILFORD PHARMACEUTICALS INC.**Exec Dt:** 01/14/2002**Assignee:** GPI NIL HOLDINGS, INC.

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